



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE **BRUCE McPHERSON**

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Secretary of State Bruce McPherson Toughens Requirement on Makers of Voting Machines

*Manufacturers - for the first time - must assume full financial
responsibility to meet state and federal laws*

Sacramento – Secretary of State Bruce McPherson today announced he will require makers of voting machines to meet the standards of the federal Help America Vote Act. McPherson will make vendors who want to do business in California sign contracts acknowledging and agreeing to this legal condition.

“I want the people to get what they paid for, an accurate, secure and fully compliant voting system,” said Secretary McPherson. “When manufacturers of voting systems claim that they are compliant with federal and state law, we must make them keep their promise.”

Effective immediately, all voting system vendors requesting certification from McPherson’s office must be compliant with the Help America Vote Act (HAVA). Manufacturers of voting systems who want to do business in California are also required to ensure the following:

1. All systems certified by the Secretary of State’s Office shall comply with the standards and requirements of the Help America Vote Act of 2002 (HAVA) [Public Law 107-22, 106th Congress], including all requirements, standards and regulations promulgated pursuant to authority derived from HAVA, as well as complying with all other applicable requirements and standards explicit in federal and state laws, and any requirements, standards and regulations deriving authority from federal and state laws.
2. Vendors applying for certification shall be required to affirmatively state and all voting system certification documents shall include the representation that the voting system complies with all applicable standards and requirements as provided for in 1.
3. Vendors applying for certification shall be responsible for the cost of any modifications, upgrades or improvements to a voting system represented as complying with the requirements as provided for in 1 in the event that the system is found to be out of compliance or otherwise inconsistent with any representation to the Secretary of State and counties.
4. HAVA funds or other state funds allocated to counties and used as payment to vendors for voting systems are for the purpose of purchasing voting systems, and necessary goods and services to deploy such voting systems, that comply with the requirements as provided for in 1.

This legal requirement is intended to protect voters and elections officials. It balances the risk of compliance between all parties and vendors will be required to say ‘My system is HAVA compliant.’

“It’s this simple: the voters must never get stuck with a lemon,” McPherson said.